



**Frank Keating**  
Governor

**FILED**

**DEC 9 1998**

OKLAHOMA SECRETARY  
OF STATE

**EXECUTIVE DEPARTMENT**

**EXECUTIVE ORDER 98-37**

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I, Frank Keating, Governor of the State of Oklahoma pursuant to Article VI, Section 2 of the Oklahoma Constitution, hereby direct the following procedures be implemented in regard to local project funding contracts in which an agency of the state is one of the contracting parties.

1. For purposes of this Executive Order, a local project funding contract is an agreement not subject to statutory competitive bidding requirements between a state agency and either a local governmental entity or a private entity, or both, in which the state agency agrees to provide funding to accomplish a public purpose. The direct benefits of a local project funding contract shall accrue primarily to the local population rather than the state as a whole.
2. A local project funding contract shall be awarded on the basis of the merits of the local project. A state agency shall adopt rules pursuant to the Administrative Procedures Act establishing criteria to assure that the awarding of a local project funding contract is based on the merits of the project.
3. Funds shall not be encumbered for a local project funding contract until the Chief Administrative Officer or a person designated by the Chief Administrative Officer of the state agency certifies by written affidavit to the Director of the Office of State Finance that the proposed local project funding contract meets the criteria set out in the rules of the agency.
4. Each local project funding contract shall be enumerated serially within the awarding agency. This number shall be cited in all correspondence to any of the parties and the Office of State Finance concerning the local project funding contract including the request for encumbrance.
5. A state agency that has local projects subject to the provisions of this Executive Order shall prepare an announcement of projects available in the form of a press release. The announcement shall be submitted to at least twenty-five newspapers in both metropolitan and rural areas for publication as public service announcements at the discretion of the editors of the newspapers. The agency shall determine which newspapers would best serve to disseminate information to local communities on a project by project basis. The press release announcement shall include the following information:

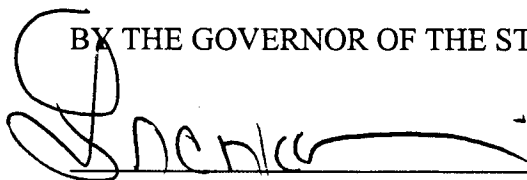
- a. The name of the contracting agency;
- b. A description of the type of projects eligible for local project funding contracts, such description being simple and easily read yet sufficiently detailed to allow a reasonable person to know whether a project he may desire would be eligible;
- c. The total amount of money available from the agency for the local project funding contract program described in the announcement;
- d. A description of the type of persons or entities who are eligible for local project funding contracts and a citation to the specific authority which establish the eligibility criteria;
- e. The closing date and time for receipt of applications; and
- f. the name, business address, and telephone number of the person who interested parties may contact for additional information.

6. The Office of State Finance shall determine the procedures and forms to be used in implementing the provisions of this Executive Order. Such procedures shall include but not be limited to the maintenance of lists of newspapers for publication of announcements.


Copies of this Executive Order shall be distributed to the Secretary of State and the Director of the Office of State Finance who shall disseminate to all appropriate state agencies.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 9th day of December, 1998.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



ATTEST:



Secretary of State ASSISTANT